

Chan Exhibit 55

1 UNITED STATES DISTRICT COURT
2 WESTERN DISTRICT OF WASHINGTON
3

4 Kaeli Garner, et al.,) Case No.
5 Plaintiffs,) 2:21-cv-00750-RSL
6 vs.)
7 Amazon.com, Inc. and Amazon.com)
8 Services LLC,)
9 Defendants.)
10

11 HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

12 DEPOSITION OF
13 SERGE EGELMAN, Ph.D

14 Volume I
15 Friday, September 6, 2024
16 9:02 a.m.
17
18
19
20
21
22

23 Reported by: Michael C. Rowell, California CSR #13494
24 NCRA Registered Diplomate Reporter
25 NCRA Certified Realtime Captioner

1 opinion on quantifying damages. 09:25:14

2 Q. Okay. And in this case, you were not asked to 09:25:17

3 provide an opinion about quantifying damages; is that 09:25:20

4 correct? 09:25:23

5 A. In this case, no. 09:25:23

6 Q. Okay. And you were engaged by the FTC in a 09:25:24

7 matter involving Amazon; is that right? 09:25:37

8 A. Yeah. 09:25:40

9 Q. And that involved testimony on human-computer 09:25:41

10 interaction evaluation methods; is that right? 09:25:44

11 A. Yes. Yeah. 09:25:48

12 Q. What are human-computer interaction evaluation 09:25:50

13 methods? 09:25:53

14 A. So, human-computer interaction or HCI is a 09:25:54

15 subfield in computer science that studies how people 09:25:58

16 interact with computers. That involves, like, looking 09:26:01

17 at usability, which often -- actually, stepping back, 09:26:08

18 so, a lot of HCI -- in HCI, we study how people use 09:26:11

19 computers, and that involves using social science 09:26:16

20 methods a lot of the time, such as doing randomly 09:26:19

21 controlled experiments or surveying, interviews, 09:26:22

22 collecting, you know, quantitative and qualitative data 09:26:28

23 to understand how people use technologies, as well as 09:26:30

24 how -- you know, what people's preferences surrounding 09:26:33

25 using technology, such as their privacy preferences, 09:26:39

| | | |
|----|--|----------|
| 1 | it's hard to define what one distinct matter is when a | 09:36:12 |
| 2 | case doesn't get filed. | 09:36:17 |
| 3 | BY MR. WAKEFIELD: | 09:36:23 |
| 4 | Q. Would you estimate that you've worked with | 09:36:25 |
| 5 | Plaintiffs' counsel, or any of them, more than five | 09:36:29 |
| 6 | times? | 09:36:32 |
| 7 | MS. IZZO: Objection to the form. | 09:36:34 |
| 8 | THE WITNESS: Probably. | 09:36:35 |
| 9 | BY MR. WAKEFIELD: | 09:36:36 |
| 10 | Q. Would it be more than ten times? | 09:36:37 |
| 11 | A. I doubt it -- | 09:36:38 |
| 12 | MS. IZZO: Same objection. | 09:36:40 |
| 13 | THE WITNESS: I doubt it, but, again, I | 09:36:41 |
| 14 | would -- for that level of specificity, I think I'd need | 09:36:43 |
| 15 | to go and check. | 09:36:45 |
| 16 | BY MR. WAKEFIELD: | 09:36:46 |
| 17 | Q. Okay. I think we -- we already established, | 09:36:47 |
| 18 | you're not -- you have not offered any opinion about | 09:37:00 |
| 19 | damages or calculation of damages in this case, correct? | 09:37:05 |
| 20 | MS. IZZO: Objection to the form. | 09:37:07 |
| 21 | THE WITNESS: No, I have not. | 09:37:09 |
| 22 | BY MR. WAKEFIELD: | 09:37:10 |
| 23 | Q. And you have not provided any opinion about | 09:37:10 |
| 24 | whether Plaintiffs were deprived of value; is that | 09:37:14 |
| 25 | right? | 09:37:23 |

| | | |
|----|--|----------|
| 1 | MS. IZZO: Objection to the form. | 09:37:24 |
| 2 | THE WITNESS: I'm not sure what you're asking | 09:37:26 |
| 3 | exactly. | 09:37:27 |
| 4 | BY MR. WAKEFIELD: | 09:37:28 |
| 5 | Q. Well, let me rephrase it. Have -- have you -- | 09:37:31 |
| 6 | in your report, do you provide any opinion about whether | 09:37:34 |
| 7 | Plaintiffs were deprived of the value of -- of | 09:37:39 |
| 8 | recordings or other data? | 09:37:44 |
| 9 | MS. IZZO: Objection to the form. | 09:37:47 |
| 10 | THE WITNESS: I don't believe so. | 09:37:49 |
| 11 | BY MR. WAKEFIELD: | 09:37:51 |
| 12 | Q. Okay. And were you asked to provide an | 09:37:53 |
| 13 | opinion on whether Amazon profits from the retention and | 09:37:54 |
| 14 | use of recordings? | 09:38:00 |
| 15 | MS. IZZO: Objection to the form. | 09:38:02 |
| 16 | THE WITNESS: Yes, I believe I was, and I | 09:38:04 |
| 17 | believe that that's in my report. | 09:38:05 |
| 18 | BY MR. WAKEFIELD: | 09:38:06 |
| 19 | Q. Okay. And were you asked to provide any | 09:38:08 |
| 20 | quantification of any such profits? | 09:38:15 |
| 21 | A. No, I was not asked to quantify that. | 09:38:18 |
| 22 | Q. Do you have any opinion as to whether Amazon | 09:38:21 |
| 23 | has profited from -- has -- let me rephrase that | 09:38:24 |
| 24 | question. | 09:38:28 |
| 25 | Did you provide any opinion on whether Amazon | 09:38:28 |